

Approved, SCAO

Original Court
1st copy - Defendant2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN

JUDICIAL DISTRICT
JUDICIAL CIRCUIT
COUNTY PROBATE

SUMMONS AND COMPLAINT

CASE NO.

M170421 GC

Court address

235 W. Baraga St, Marquette, Mi 49855

Court telephone no.

906 225 8235

Plaintiff's name(s), address(es), and telephone no(s).

Michael J Tedeschi

pro se

207 Sidewinder St.

Gwinn, Mi 49841

906 3462661

Defendant's name(s), address(es), and telephone no(s).

Equifax Information Systems, LLC

P. O. Box 740256

Atlanta, GA 30374

(877) 322 8228

Plaintiff's attorney, bar no., address, and telephone no.

v

SUMMONS NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons to file a written answer with the court and serve a copy on the other party or take other lawful action with the court (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued	6/8/17	This summons expires	Court clerk	<i>Falas</i>
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Family Division Cases (The following is information required in the caption of every complaint and is to be completed by the plaintiff.)

This case involves a minor who is under the continuing jurisdiction of another Michigan court. The name of the court, file number, and details are on page _____ of the attached complaint.

There is no other pending or resolved action within the jurisdiction of the family division of circuit court involving the family or family members of the parties.

An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in _____ Court.

The action remains is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
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Civil Cases (The following is information required in the caption of every complaint and is to be completed by the plaintiff.)

This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.

There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.

A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in _____ Court.

The action remains is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
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VENUE

Plaintiff(s) residence (include city, township, or village)

Gwinn, Mi

Defendant(s) residence (include city, township, or village)

Atlanta, Ga

Place where action arose or business conducted

Marquette County

*8 June 2017**Refek Falas*

Signature of attorney/plaintiff

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Note to Plaintiff: The summons is invalid unless served on or before its expiration date.

SUMMONS AND COMPLAINT Case No. _____
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PROOF OF SERVICE

- TO PROCESS SERVER: You are to serve the summons and complaint not later than 91 days from the date of filing or the date of expiration on the order for second summons. You must make and file your return with the court clerk. If you are unable to complete service you must return this original and all copies to the court clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE **OFFICER CERTIFICATE**

OR

 AFFIDAVIT OF PROCESS SERVER

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party (MCR 2.104[A][2]), and that: (notarization not required)

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

I served personally a copy of the summons and complaint.

I served by registered or certified mail (copy of return receipt attached) a copy of the summons and complaint, together with _____

List all documents served with the Summons and Complaint

on the defendant(s):

Defendant's name	Complete address(es) of service	Day, date, time

I have personally attempted to serve the summons and complaint, together with any attachments, on the following defendant(s) and have been unable to complete service.

Defendant's name	Complet address(es) of service	Day, date, time

I declare that the statements above are true to the best of my information, knowledge, and belief.

Service fee \$	Miles traveled \$	Fee \$
Incorrect address fee \$	Miles traveled \$	TOTAL FEE \$

Signature _____

Name (type or print) _____

Title _____

Subscribed and sworn to before me on _____, _____ County, Michigan.

My commission expires: _____ Signature: _____ Deputy court clerk/Notary public
Date _____

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the summons and complaint, together with _____ Attachments

on _____ Day, date, time _____

on behalf of _____

Signature _____

STATE OF MICHIGAN
IN THE 96th DISTRICT COURT

MICHAEL TEDESCHI

Plaintiff,

-vs-

Case No.
Hon.

EQUIFAX INFORMATION SERVICES, LLC

Defendant,

Michael Tedeschi
In Pro Per
207 Sidewinder St.
Gwinn, Mi 49841
(906) 346-2661
mjted@hotmail.com

Equifax Information Systems, LLC
P.O. Box 740256
Atlanta, GA 30374
(877) 322-8228

COMPLAINT

Introduction

1. The Fair Credit Reporting Act (FCRA) requires consumer reporting agencies adopt reasonable procedures that are fair and equitable with regard to the proper utilization of consumer credit data; it sets forth procedures in case of disputes, with specific requirements that a reasonable reinvestigation be conducted, within a specified time period, and that employees are properly trained, procedures followed, and unverifiable information be deleted 15 U.S.C. §§1681b, §1681e, §1681h and §1681i.

Parties

2. The Plaintiff, Michael Tedeschi ("TEDESCHI"), is a resident of Marquette County, Michigan.
3. The Defendant, Equifax Information Services, LLC ("EQUIFAX") is a foreign corporation doing business in Marquette County, Michigan.

Jurisdiction

4. The amount in controversy is \$10,000.00 or less, exclusive of costs and attorney's fees.

Venue

5. The transactions and occurrences which give rise to this action occurred in Marquette County, Venue is proper for the 96th District Court.

GENERAL ALLEGATIONS

6. On or about 30 December 2016, Plaintiff sent a dispute letter known as a "reinvestigation" to EQUIFAX, a national credit reporting agency, in regard to a TBF Financial (TBF) entry. ("dispute letter").
TEDESCHI dispute letter DEMANDS the removal of the trade line as provided under FCRA § 1681i. TEDESCHI disputes the validity and accuracy of the entries denying, a) receipt of any notice of adverse/negative information to be entered into his credit file, b) the account status, c) age of the account,

d) creditor classification, and e) loan type.

TEDESCHI clearly and in plain language provides notice that TBF had violated his rights by not providing the appropriate required notice, and directing that unless the furnisher of data could provide proof the notice was provided the law required EQUIFAX to delete TBF from his credit report.

TEDESCHI further advises in no uncertain terms, that "reasonable investigations" are required "not just a mere cursory review, but a thorough analysis and review of all relevant information".

7. Equifax report dated January 10, 2017, Confirmation # 7007039418 provides the results of the investigation, the defendant incorrectly verified that TBF had provided them sufficient evidence that they had complied with the FCRA and provided TEDESCHI notice, and that the four inaccuracies disputed are correct and continue to be reported , further new errors/inaccurate data appears for the first time.

The report directs TEDESCHI to contact Bf Financial Inc., 120 S. La Salle St. Ste 1520 Chicago, Il 6063-3573 to the least sophisticated consumer a different firm and inaccurate data from the original furnisher of data TBF whose current address is 740 Waukegan Rd, Suite 404, Deerfield, Il 60015.

The report does not reflect the current address but yet a third location, 520 Lake Cook Road, Ste 510, Deerfield, Il 60015-4900.

The report has six new errors, under additional information and five under type of loan in the section noted as, historical account information.

By their action, EQUIFAX after being provided ample repeated warning did violate the FCRA in that, EQUIFAX failed to conduct a reasonable investigation, review all relevant information, have employees who were properly trained to take the appropriate action, and delete information they knew or should have known was inaccurate, and unverifiable.

8. On or about 30 December 2016, Plaintiff sent a dispute letter known as a "reinvestigation" to EQUIFAX, a national credit reporting agency, in regard to Automated Accounts Management Service (AAMS) entry. ("dispute letter"). TEDESCHI dispute letter DEMANDS the removal of the trade line as provided under FCRA § 1681i. TEDESCHI disputes the validity and accuracy of the entries denying, a) receipt of any notice of adverse/negative information to be entered into his credit file, b) receipt of validation of the debt as requested on 31 May 2016. TEDESCHI clearly and in plain language provides notice that AAMS had violated his rights by not providing validation of the debt within the required 30 days, or providing the appropriate required notice of negative data, and directing that unless the furnisher of data could provide proof the notice(s) were provided the law requirs EQUIFAX to delete AAMS from his credit report.

TEDESCHI again warns that "failure to verify this as I have indicated would be a violation of the FCRA as the law demands a reasonable investigation and not a mere cursory review."

9. EQUIFAX response dated 13 January 2017 identified as confirmation # 7008010914

provides the results of the investigation, the account incorrectly verified that AAMS had provided them sufficient evidence that they had complied with the FCRA and provided TEDESCHI the notice of negative data and had validated the debt.

10. On or about 1 February 2017 TEDESCHI did fax EQUIFAX his LETTER OF DEMAND . The letter enumerates all the errors contained in his report, and the confirmation reports, TEDESCHI cites the sections of the FCRA violated.

11. EQUIFAX treating his LETTER OF DEMAND as a dispute, did respond confirmation number# 7034064715 dated 8 February 2017, an item of TBF data was modified, Creditor Classification was changed to Financial. Data EQUIFAX had previously validated as accurate. All fourteen other inaccuracies are validated again.

12. EQUIFAX is an industry leading consumer reporting agency, founded in 1937, the firm has unique experience with and intricate knowledge of the FCRA, coupled with their total disregard of the repeated warning of TEDESCHI make their actions willful and knowing.

COUNT I - IV Fair Credit Reporting Act (FCRA)

13. Plaintiff(s) incorporates the preceding allegations by reference. Paragraphs 1 – 12.

Count I

14. Equifax did violate FCRA § 607(b) 15 U.S.C.S. § 1681(e) failing to maintain reasonable policy and procedures to assure maximum possible accuracy of information contained in the credit files of TEDESCHI repeatedly on multiple occasions.

Count II

15. EQUIFAX did violate FCRA § 611(a)(1)(A) 15 U.S.C.S. § 1681i as they did not conduct reasonable investigations repeatedly of the multiple inaccuracies disputed.

Count III

16. EQUIFAX did violate FCRA § 610(2)(c) 15 U.S.C.S. § 1681h as they failed to adequately train personnel to insure procedural compliance addressing each of the multiple inaccuracies.

Count IV

17. EQUIFAX did violate FCRA § 610(2)(c) 15 U.S.C.S. § 1681i as they did not remove unverifiable information in response to multiple disputes.

18. Plaintiff has suffered damages as a result of these willful and knowing violations of the FCRA.

Demand for Judgment for Relief

Accordingly, Plaintiffs requests that the Court grant:

- a. The amount of \$10,000.00 representing compensation for repeated non-compliance with the content, policy and procedures outlined in the FCRA, including emotional distress, mental anguish, frustration, pain and suffering.
- b. Equitable relief under statute and common law.
- c. Statutory damages.

- e. Statutory costs and fees.
- f. Removal of TBF and AAMS from EQUIFAX credit files of TEDESCHI.
- g. Any other equitable relief the court deems appropriate to fully redress Plaintiffs damages.

Respectfully Submitted

By: 
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207 Sidewinder St.
Gwinn, Mi 49841
906 346 2661
mjted@hotmail.com



601 Abbot Rd.

East Lansing, MI

#8823

Re: Lowtax into service